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| OHLANDT, GREELEY, RUGGIERO & PERLE, LLP ONE LANDMARK SQUARE, 10TH FLOOR STAMFORD, CT 06901 | | | PHAN, JOSEPH T | |
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

| | | | |
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| Office Action Summary | Application No. 10/692,850 | Applicant(s) ELIAS, ERAN | |
| | Examiner JOSEPH T. PHAN | Art Unit 2614 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 October 2010.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,3-11,13-23,25-30,32,34,35,39,41-43,45 and 46 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1, 3-11, 13-23, 25-30, 32, 34-35, 39, 41-43, 45-46 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input checked="" type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

1. Applicant's arguments with respect to claims 1, 3-30, and 32-44 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

Claims 1, 3-11, 13-23, 25-30, 32, 34-35, 39, and 41-43 rejected under 35 U.S.C. 103(a) as being unpatentable over Rautila et al., Patent #6,631,183 in view of Robinson et al., Patent #5,581,604.

Regarding claim 1, Rautila teaches a user client for a communication device, said user client being able to assume a number of different states(Fig.3), said communication device operable to communicate with a remotely located media based network service(102/105 Fig.1),

Art Unit: 2614

the user client comprising: a communication module for causing said communication device to communicate information representing a currently assumed one of said states to said remotely located media based network service(col.2 lines 8-21); wherein the remotely located media based network service comprises a voicemail system(202 Fig.2, col.2 lines 8-21 and col.5 lines 10-65); and a user interface to receive a new greeting from a user of said communication device; said communication module communicates said new greeting to said voicemail system and said voicemail system plays said new greeting to said caller(Fig.1, Fig.4-5 and col.1 lines 51-67).

Rautila does not expressly disclose during a real-time recording mode, during said call, a new greeting can be recorded.

In the same field of endeavor Robinson discloses during a real-time recording mode, during said call, a new greeting can be recorded(col.2 lines 30-42, col.4 lines 58-67 and col.6 lines 10-25).

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to modify Rautila's invention to include the real-time recording mode as taught by Robinson.

One of ordinary skill in the art would have been motivated to do so both Rautila and Robinson are in the same field of endeavor and real-time recording of a new greeting was old and well-known in the art as taught by Robinson. As disclosed by Robinson, real-time recording of a new greeting allows the called party more flexibility and additional options to respond to callers(col.2 lines 22-26). It is also noted that the Rautila patent identifies the Robinson patent in it's prior art disclosure.

Regarding claim 4, Rautila/Robinson teaches the user client of claim 1, wherein a

Art Unit: 2614

plurality of prerecorded greetings are available for interoperation with said user client at said remotely located media based network service and wherein control of said remotely located media based network comprises selection of one of said greetings in accordance with the currently assumed state, and said control further comprising causing the selected greeting to be played back as a voicemail reply from said voicemail system to a calling party(Fig.1, col.2 lines 8-21 and col.5 lines 10-65).

Regarding claim 5, Rautila/Robinson teaches the user client of claim 4, wherein said communication module comprises a data messaging protocol(Fig.1 and col.3 lines 15-50).

Regarding claim 6, Rautila/Robinson teaches the user client of claim 4, further comprising a module for presenting to a user, upon receipt of said call, an ability to select one of said different states instead of answering said call(Fig.1 and 3, col.6 lines 2-49).

Regarding claim 7, Rautila/Robinson teaches the user client of claim 6, wherein said communication module is configurable according to a selected one of said states to communicate said selected state to the voicemail system so as to cause said voicemail to select a greeting corresponding to the selected state(Fig.1 and 3, col.4 lines 54-67, and col.6 lines 2-49).

Regarding claim 8, Rautila/Robinson teaches the user client of claim 6, wherein said module is configured such that said communication device is operable to present a plurality of different greetings for user selection therefrom, each state being associated with a different one of said greetings(Fig.1 and 3, col.2 lines 8-21, col.5 lines 10-65, and col.6 lines 2-49).

Regarding claim 9, Rautila/Robinson teaches the user client of claim 4, wherein said user client is switchable substantially at any time between said states, and wherein said communication module is configured to communicate to said voicemail system an exchange of

Art Unit: 2614

states so as to enable said voicemail system to select a voicemail greeting according to said current state(Fig.1 and 3, col.2 lines 8-21, col.5 lines 10-65, and col.6 lines 2-49).

Regarding claim 10, Rautila/Robinson teaches the user client of claim 4, further comprising a user input for allowing a user to define at least one of said states and to associate a different greeting with each of said states(Fig.1 and 3, col.2 lines 8-21, col.5 lines 10-65, and col.6 lines 2-49).

Regarding claim 11, Rautila/Robinson teaches the user client of claim 10, further comprising a user input for allowing a user to record a greeting for association with one of said states(Fig.1 and 3, col.5 lines 10-65, and col.6 lines 2-49).

Regarding claim 13, Rautila/Robinson teaches the user client of claim 1, wherein said real time recording mode is configured so as to carry out said recording of the new greeting whilst delaying forwarding of said call from said communication device to said voicemail system(Fig.1, col.6 lines 20-40).

Regarding claim 14, Rautila/Robinson teaches the user client of claim 1, wherein said real time recording mode is configured to forward said recorded greeting as at least one voice packet to said voicemail system for playing as said reply(Fig.1, col.6 lines 13-40; voice greeting is a voice packet).

Regarding claim 15, Rautila/Robinson teaches the user client of claim 14, wherein said communication module is configured to communicate said voicemail greeting, together with control data for said voicemail system, using voice packets(Fig.1, col.6 lines 13-40).

Regarding claim 16, Rautila/Robinson teaches the user client of claim 4, further comprising a user interface provides for said user to select between (1) a menu of prerecorded

Art Unit: 2614

voicemail greetings(Fig.1b and col.5 lines 10-40) and (2) recording a new voicemail greeting(col.6 lines 20-40 and Robinson col.6 lines 10-25).

Regarding claim 17, Rautila/Robinson teaches the user client of claim 4, wherein said communication device is a mobile communication device(Fig.1 and 4, col.6 lines 50-67).

Regarding claim 18, Rautila teaches a communication device comprising a user client, said user client being operable to configure said communication device into any one of a plurality of states and further to configure said communication device for communication with a remotely located voicemail system (Fig.1, col.4 lines 54-67 and col.5 lines 14-65) and a user interface to receive a new greeting from a user of said communication device; said communication module communicates said new greeting to said voicemail system and said voicemail system plays said new greeting to said caller(Fig.1, Fig.4-5 and col.1 lines 51-67).

Rautila does not expressly disclose during a real-time recording mode, during said call, a new greeting can be recorded.

In the same field of endeavor Robinson discloses during a real-time recording mode, during said call, a new greeting can be recorded(col.2 lines 30-42, col.4 lines 58-67 and col.6 lines 10-25).

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to modify Rautila's invention to include the real-time recording mode as taught by Robinson.

One of ordinary skill in the art would have been motivated to do so both Rautila and Robinson are in the same field of endeavor and real-time recording of a new greeting was old and well-known in the art as taught by Robinson. As disclosed by Robinson, real-time recording

Art Unit: 2614

of a new greeting allows the called party more flexibility and additional options to respond to callers(col.2 lines 22-26). It is also noted that the Rautila patent identifies the Robinson patent in it's prior art disclosure.

Regarding claim 19, Rautila/Robinson teaches the communication device of claim 18, wherein said communication sets said voicemail system to select a voicemail reply greeting in accordance with a current state of said communication device(Fig.1, col.2 lines 8-21 and col.5 lines 10-65).

Regarding claim 20, Rautila/Robinson teaches the communication device of claim 18, further comprising a data messaging module for communicating with said remotely located voicemail system(Fig.1 and 3, col.2 lines 8-21, col.5 lines 10-65, and col.6 lines 2-49).

Regarding claim 21, Rautila/Robinson teaches the communication device of claim 19, further comprising a communication module configured to communicate to said remote voicemail system any change in state at said communication device so as to control said voicemail system to provide a voicemail greeting according to said current state(Fig.1 and 3, col.2 lines 8-21, col.5 lines 10-65, and col.6 lines 2-49).

Regarding claim 22, Rautila/Robinson teaches the communication device of claim 19, wherein said user client is configured into one of said plurality of states by the user selecting a predefined greeting from a menu of predefined greetings at said communication device(Fig.1 and 3, col.2 lines 8-21, col.5 lines 10-65, and col.6 lines 2-49).

Regarding claim 23, Rautila/Robinson teaches the communication device of claim 19, wherein said user client is configured into one of said plurality of states by the user selecting between (1) a menu of predefined greetings(col.5 lines 10-40) and (2) recording of a new

Art Unit: 2614

greeting(col.6 lines 20-40).

Regarding claim 25, Rautila/Robinson teaches the communication device of claim 18, wherein the device is operable to record the greeting in real time whilst delaying forwarding of said call from said communication device to said voicemail system(Fig.1 and 3, and col.6 lines 2-49).

Regarding claim 26, Rautila/Robinson teaches the communication device of claim 18, wherein the device is operable to forward said recorded greeting as at least one voice packet, together with control data, to said voicemail system for playback as the voicemail reply(Fig.1 and 3, col.2 lines 8-21, col.5 lines 10-65, and col.6 lines 2-49).

Regarding claim 27, Rautila/Robinson teaches the communication device of claim 18, wherein the communication device is a mobile communication device(Fig.1).

Regarding claim 28, Rautila/Robinson teaches the communication device of claim 21, wherein said plurality of possible states comprises at least one user definable mode, said user client comprising a user interface for defining of said user definable mode(Fig.1 and 3 and col.5 lines 10-65).

Regarding claim 29, Rautila/Robinson teaches the communication device of claim 21, wherein said plurality of possible states comprises at least one user selectable mode, said user client comprising a user interface for user selecting of said mode(Fig.1 and 3, col.2 lines 8-21, col.5 lines 10-65, and col.6 lines 2-49).

Regarding claim 30, Rautila teaches a server-based subscriber service system(Fig.1) comprising: an output unit for outputting selected content, and a content selection unit associated with said output unit that selects said selected content for output by said output unit in

Art Unit: 2614

accordance with data representing a current state of a called party handset; and wherein the selected content is a voicemail greeting(Fig.1 and 3, col.2 lines 8-21, col.5 lines 10-65, and col.6 lines 2-65).

Rautila does not expressly disclose that his selected content is during a real-time recording mode, during said call, a new greeting can be recorded.

In the same field of endeavor Robinson discloses during a real-time recording mode, during said call, a new greeting can be recorded(col.2 lines 30-42, col.4 lines 58-67 and col.6 lines 10-25).

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to modify Rautila's invention to include the real-time recording mode as taught by Robinson.

One of ordinary skill in the art would have been motivated to do so both Rautila and Robinson are in the same field of endeavor and real-time recording of a new greeting was old and well-known in the art as taught by Robinson. As disclosed by Robinson, real-time recording of a new greeting allows the called party more flexibility and additional options to respond to callers(col.2 lines 22-26). It is also noted that the Rautila patent identifies the Robinson patent in it's prior art disclosure.

Regarding claim 32, Rautila/Robinson teaches the server-based subscriber service system of claim 30, further comprising a data communication unit associated with said content selection unit for receiving state data from said called party handset from which to determine said current state(Fig.1 and 3, col.2 lines 8-21, col.5 lines 10-65, and col.6 lines 2-65).

Regarding claim 34, Rautila/Robinson teaches the server-based subscriber service system

Art Unit: 2614

of claim 32, wherein said communication unit is operable to receive said state data in at least one of SMS format and USSD format(Fig.1, col.2 lines 30-33, and col.3 lines 15-50).

Regarding claim 35, Rautila/Robinson teaches the server-based subscriber service system of claim 32, wherein said data communication unit is operable to use the push-to-talk protocol to enable receipt of said content together with said state data(Fig.1 and col.6 lines 50-65).

Regarding claim 39, Rautila/Robinson teaches a system comprising: a handset(Fig.1/4), and a server based greeting system located remotely from said handset over a communication network(102/105 Fig.1), wherein said server based greeting system comprises:

a memory for storing a plurality of greetings associated with said handset(Fig.5) and a selector for selecting one of said plurality of greetings as a current greeting for playing to a caller on a call that is rejected from said handset; and forwarded to said server-based greeting system and wherein said handset comprises a message communication module for communicating to said server based greeting system an indicator for instructing said selector to select a given greeting as said current greeting(Fig.1 and 4, col.2 lines 8-21, col.5 lines 10-65, and col.6 lines 2-65).

Rautila does not expressly disclose recording a greeting during said call(real-time recording).

In the same field of endeavor Robinson discloses recording a greeting during said call(real-time recording, col.2 lines 30-42, col.4 lines 58-67 and col.6 lines 10-25).

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to modify Rautila's invention to include real-time recording as taught by Robinson.

One of ordinary skill in the art would have been motivated to do so both Rautila and

Art Unit: 2614

Robinson are in the same field of endeavor and real-time recording of a new greeting was old and well-known in the art as taught by Robinson. As disclosed by Robinson, real-time recording of a new greeting allows the called party more flexibility and additional options to respond to callers(col.2 lines 22-26). It is also noted that the Rautila patent identifies the Robinson patent in it's prior art disclosure.

Regarding claim 40, Rautila/Robinson teaches the handset and server based greeting system of claim 39, wherein said message communication module is further configured to communicate to said server based greeting system an indicator to accept a greeting presently being recorded at said handset as said current message(Fig.1 and 3, col.2 lines 8-21, col.5 lines 10-65, and col.6 lines 2-65).

Regarding claim 41, Rautila teaches a handset and server based greeting system comprising: a user handset(Fig. 4), and a server based greeting system located remotely from said handset over a communication network(Fig.1), and wherein said server based greeting system comprises a memory for storing at least one greeting associated with a given user handset(Fig.4). and wherein said handset comprises a message communication module for communicating to said server based greeting system:
a rejection of an incoming call and an indicator for instructing said server-based greeting system to select a greeting (col.2 lines 8-21, col.5 lines 10-65, and col.6 lines 2-65).

Rautila does not expressly disclose recording a greeting during said call(real-time recording.

In the same field of endeavor Robinson discloses recording a greeting during said call(real-time recording, col.2 lines 30-42, col.4 lines 58-67 and col.6 lines 10-25).

Art Unit: 2614

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to modify Rautila's invention to include real-time recording as taught by Robinson.

One of ordinary skill in the art would have been motivated to do so both Rautila and Robinson are in the same field of endeavor and real-time recording of a new greeting was old and well-known in the art as taught by Robinson. As disclosed by Robinson, real-time recording of a new greeting allows the called party more flexibility and additional options to respond to callers(col.2 lines 22-26). It is also noted that the Rautila patent identifies the Robinson patent in it's prior art disclosure.

Regarding claims 42 and 43, Rautila teaches a system comprising: a user client(Fig.1/5) for a handset(Fig.4), and said server based greeting system located remotely from said handset over a communication network(Fig.1) wherein said server based greeting system comprises: a memory for storing a plurality of greetings associated with a given user handset (Fig.4) and; a selector for selecting one of said greetings as a current greeting for playing to a caller on a call that is rejected from said handset; and forwarded to said server-based greeting system, and wherein said user client comprises a message communication module for communicating to said server based greeting system an indicator for instructing said selector to select a given greeting as said current greeting(Fig.1 and 3, col.2 lines 8-21, col.5 lines 10-65, and col.6 lines 2-65).

Rautila does not expressly disclose recording a greeting during said call(real-time recording).

In the same field of endeavor Robinson discloses recording a greeting during said call(real-time recording, col.2 lines 30-42, col.4 lines 58-67 and col.6 lines 10-25).

Art Unit: 2614

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to modify Rautila's invention to include real-time recording as taught by Robinson.

One of ordinary skill in the art would have been motivated to do so both Rautila and Robinson are in the same field of endeavor and real-time recording of a new greeting was old and well-known in the art as taught by Robinson. As disclosed by Robinson, real-time recording of a new greeting allows the called party more flexibility and additional options to respond to callers(col.2 lines 22-26). It is also noted that the Rautila patent identifies the Robinson patent in it's prior art disclosure.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 3 and 36 rejected under 35 U.S.C. 103(a) as being unpatentable over Rautila et al., Patent #6,631,183 in view Robinson further in view of Osann, Jr. Patent #7,092,735.

Regarding claims 3 and 36, Rautila in view of Robinson discloses a remotely located media based network service and subscriber server system of claim 32 (102/105 Fig.1).

Rautila in view of Robinson does not expressly disclose that the service comprises video.

In a related field of endeavor (i.e. using mobile phones to relay messages), Osann, Jr discloses video (Fig.1 and col.2 lines 42-49).

At the time the invention was made, it would have been obvious to a person of ordinary

Art Unit: 2614

skill in the art to modify the Rautila/Robinson media-based(voicemail) network service to include video as taught by Osann, Jr.

One of ordinary skill in the art would have been motivated to do so, as mobile phones were old and well-known at the time the invention was made to be handle video as taught by Osann, Jr and including video in Rautila/Robinson voicemail system would further add to the enjoyment of the mobile phones capability. Additionally, since playing video on a mobile device was notoriously well known at the time of the invention as taught by Osann, Jr it would have been obvious to try including it in Rautila/Robinson's network service.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 45-46 rejected under 35 U.S.C. 102(b) as being anticipated by Robinson et al., Patent #5,581,604.

Regarding claim 45, Robinson teaches a communication device comprising: a user interface that: indicates a presence of an incoming call(10 Fig.1 col.2 lines 43-56); and allows a user to record a voicemail greeting during said incoming call(60 Fig.3 col.2 lines 36-40); and a communications module that communicates with a voicemail system to play said voicemail greeting during said incoming call(64 Fig.3, col.2 lines 43-56 and col.6 lines 10-25 ; Fig.6 is a voicemail system).

Art Unit: 2614

Regarding claim 46, Robinson teaches a communication device comprising: a user interface that: indicates a presence of an incoming call(10 Fig.1 col.2 lines 43-56); and enables a user to select a voicemail greeting from a plurality of voicemail greetings, during said incoming call(60 Fig.3 and col.2 lines 43-56); and a communications module that communicates with a voicemail system to play said voicemail greeting during said incoming call(64 Fig.3; col.2 lines 43-56 and col.6 lines 10-25 ; Fig.6 is a voicemail system).

Conclusion

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO

Art Unit: 2614

MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

/Joseph T Phan/

Primary Examiner, Art Unit 2614